

SCOTT FORMAN  
JOEL L. FINGER  
JOSEPH E. FIELD  
LITTLER MENDELSON, P.C.  
900 Third Avenue  
New York, NY 10022  
Tel: 212.583.9600  
Fax: 212.832.2719  
Attorneys for Defendant  
WAL-MART STORES EAST, L.P.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

KATHLEEN CURNS and LINDA ZUKAITIS,

Plaintiffs,

-against-

WAL-MART STORES, INC.,

Defendant.

No. 06 CV 1336 (GLS/DRH)

**NOTICE OF DEFENDANT'S  
REQUEST TO TAX COSTS**

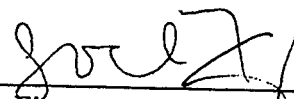
**TO:** Clerk of the Court  
United States District Court for the Northern District of New York  
James T. Foley - U.S. Courthouse  
445 Broadway, Room 509  
Albany, NY 12207-2924

**PLEASE TAKE NOTICE**, that upon the Judgment entered on June 15, 2010 in favor of Defendant Wal-Mart Stores East, L.P. sued herein as Walmart Stores, Inc. ("Walmart"), Walmart, through its undersigned counsel, will request the Clerk of the Court, on July 7, 2010 at 9:30 a.m. in the Clerk's Office, United States Courthouse for the Northern District of New York, James T. Foley U.S. Courthouse, 445 Broadway, Room 509, Albany, New York 12207-2924, to tax costs in its favor of Walmart and against Plaintiffs Kathleen Curns and Linda Zukaitis, jointly and severally, in the amount of \$21,618.61, under Fed. R. Civ. P. 54(d), Local Rule 54.1 of this Court, 28 U.S.C. §§ 1821 and 1920, 5 U.S.C. § 5702(a)(1)(A) and for such other relief as this

Court deems just and proper. In support of its Request to Tax Costs, Walmart attaches its Bill of Costs and the Affidavit of Joel L. Finger in Support of Defendant's Bill of Costs with accompanying exhibits.

New York, New York  
Dated: June 23, 2010

Respectfully submitted,

By:   
Joel L. Finger (Bar #10398)  
LITTLER MENDELSON, P.C.  
900 Third Avenue  
New York, NY 10022  
212.583.9600

Attorneys for Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that on June 23, 2010, I served a true and correct copy of the within Notice of Defendant's Request to Tax Costs via the Court's electronic filing system upon the following:

Douglas Wigdor, Esq.  
Andrew Goodstadt, Esq.  
Ariel Graff, Esq.  
Thompson Wigdor & Gilly LLP  
85 Fifth Avenue  
New York, NY 10003

Attorneys for Plaintiffs

s/ Anna Maria Loiacono  
Anna Maria Loiacono